

## **REMARKS**

The office action of December 23, 2003 rejected all of the then-pending claims, 1-26. In this response, certain claims are amended, claims 12, 19, and 22 are canceled, and no new claims are added.

### **CLAIM REJECTIONS UNDER SECTION 102**

#### **CLAIM 1**

The office action rejected claim 1 under Section 102(e) in view of U.S. Patent No. 6,594,547 to Manabe et al. Manabe, however, is quite different from the claimed invention. The Manabe system is a general baggage management system in which baggage is tagged for rapid identification and removal from an aircraft in the even a passenger does not board. One of the features in claim 1 of the pending application is that the passenger obtains a boarding pass at a first location and then checks baggage at a second location. Manabe does not teach this aspect. Instead, Manabe discloses a single counter 4 that serves as a baggage reception counter *and* as a boarding pass read/write unit. Even as originally filed, Manabe does not anticipate or make obvious the invention of claim 1.

Nonetheless, claim 1 has been revised to more clearly define the invention. As amended, claim 1 includes the limitation, "instructing the passenger to obtain a boarding pass at a first location." Claim 1 also includes an additional limitation of "instructing the passenger to present the boarding the boarding pass at a second location." One of the novel features of this claim is that it directs passengers to obtain boarding passes before checking baggage, as explained, for example, in the application at page 4, lines 22-26. This speeds the baggage check-in process and reduces the time passengers must wait in line. Neither Manabe nor any of the other cited references disclose this claimed aspect of *instructing* passengers to obtain a boarding pass at a first location before checking bags at a second location.

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The Gannon patent (No. 4,239,434) includes a plurality of bag check stations. But the multiple stations of Gannon are those found in an ordinary airport organization in which there is a skycap station outside the terminal and a general check-in and baggage station inside the terminal. As Gannon explains, station 10a is a curbside baggage drop station, while 10 c, d, and e represent ticket counter locations. Gannon, at column 3, lines 1-19. There is nothing in Gannon that suggests that it is desirable to instruct passengers to obtain a boarding pass first at a first location *before* checking baggage at a second location.

The Gannon system also is a standard indoor/outdoor system using skycaps. Claim 1 as amended recites that both stations are “inside an airport terminal,” and “being separated from but in view of” one another. The Applicant has not found these aspects in the cited references, and claim 1 should be allowable.

#### **CLAIMS 2-4**

Claims 2-4 were also rejected in view of Manabe, but the applicant respectfully submits that Manabe does not teach the inventions as claimed. Claim 4, in particular, recites that the information on the boarding pass “comprises a destination and number of bags to be checked.” As this claim depends from claim 1, it necessarily means that the boarding pass *that has been provided at the first location* includes this information. While Manabe does teach a device to write onto a boarding pass certain baggage-related information, this is only accomplished *after* the passenger has checked baggage. See Manabe at column 1, lines 1-20. The whole point of Manabe is to track actual bags checked with a passenger on the flight so that the bags can be pulled from the flight if the passenger does not board.

By contrast, claim 4 provides that the baggage-related information is printed on the boarding pass in bar code form *at the first location* where the boarding pass is obtained. The attendant at the bag check station then obtains this information and knows how many bags the passenger will check, without even having to ask the passenger. Manabe does not teach or

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suggest printing baggage related information on a boarding pass at a first location, while checking bags later at a second location. Indeed, this would be contrary to the purpose of Manabe, which is only to ensure that the boarding pass reflects the number of bags *actually* checked, and not the number of bags the passenger *intends* to check. Accordingly, neither Manabe nor the cited art anticipates or makes obvious the inventions of claims 1-4.

### **CLAIM REJECTIONS UNDER SECTION 103**

#### **CLAIMS 5-7**

The office action further rejected claims 5-7 under Section 103, in view of the combination of Manabe and Gannon. Although these claims are believed to be independently allowable, they should be allowable at least for the reason that they depend from allowable base claims.

#### **CLAIMS 8-9**

Claims 8 and 9 were also rejected in view of the combination of Manabe and Gannon, and further in view of Barclay. Like Manabe, Barclay is concerned with ensuring that passengers who have checked bags actually board the aircraft. Barclay does not teach the use of a system as in claim 7, wherein the first location comprises a remote computer. As depending from claim 1, dependent claim 7 requires that a passenger obtain a boarding pass at the first remote station, and that the boarding pass includes imprinted information indicating the number of bags the passenger intends to check into the flight. Barclay refers to a networked computer system, but only as it relates to the particular computer terminals at a standard airport ticket counter. Nothing in Barclay combined with Manabe and Gannon teaches or suggests the claimed inventions.

#### **CLAIM 10**

Claim 10 was also rejected in view of the combination of Manabe, Gannon, and Barclay. This claim has been amended to more clearly define the claimed invention over the cited references. In particular, the system of claim 10, as amended, defines a "boarding pass station"

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and a “baggage drop station,” wherein the baggage drop station is configured to allow baggage to be checked “only if the passenger has already checked in.” Nothing in the cited references teaches or suggests such a 2-stage system in which passengers *must* proceed to the two stages, in order, first to check in and then to check bags. As such, claim 10 should be allowable.

### **CLAIMS 11-19**

Dependent claims 12 and 19 have been canceled. Claims 11 and 13-18 each should be independently allowable, and further because they depend from allowable base claims.

### **CLAIM 20**

Claim 20 was rejected under Section 103 in view of the combination of Pugliese III and Barclay. This claim should be allowable. One of several differences between the claimed invention and Pugliese is the absence of a “plurality of baggage drop conveyors extending outward from the central conveyor.” The office action states that Pugliese teaches such an arrangement, citing reference numeral 15 in the Pugliese patent. But reference numeral 15 clearly refers to a “check-in machine,” rather than a conveyor, as described at column 6, line 53, and illustrated in Figures 2-4.

Claim 20 nonetheless has been amended to further distinguish Pugliese, providing that the baggage check station is located “within an airport terminal.” Nothing in Pugliese or the other cited references teaches a system in which a central conveyor and a plurality of baggage drop point conveyors extending outward from the central conveyor are all provided within an airport terminal.

Claim 20 has further been amended to provide “one or more signs directing the passenger to proceed to one or more of the kiosks before proceeding to the baggage drop station.” This aspect is shown, for example, in Figure 4A of the application and described in the related text. None of the cited references teach or suggest a system in which passengers are directed to

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proceed to the check-in kiosk before the baggage drop station. As such, claim 20 should be in condition for allowance.

### **CLAIMS 21-26**

Claim 22 has been canceled. The remaining claims, 21 and 23-26, should each be allowable as depending from allowable claim 20.

Claim 21 should be further allowable in that the prior art does not teach the use of sensors to detect the presence of an item on the central conveyor. Pugliese is cited for this purpose, but Pugliese differs substantially. Pugliese refers to sensors to detect the presence of a bag on a conveyor, but *not* the central conveyor. Rather, the sensor referred to by the examiner is only the conveyor within the baggage drop machine (see figures 2-4, reference number 105).

By contrast, claim 21 provides that sensors are located on the central conveyor. This is a useful aspect in the present invention, but of no value to Pugliese and therefore not taught or suggested. In the embodiment as depicted in Figure 2, multiple drop point conveyors feed to the central conveyor. The controller determines whether there are bags on the central conveyor and, if not, allows the drop point conveyors to deposit a bag onto the central conveyor. Without the controller, bags might crash into one another, forcing bags off the conveyor or causing a pile-up. Again, Pugliese does not teach this arrangement, but rather uses a sensor simply to determine whether there are bags on the automated conveyor and to determine how many are present. See column 9, lines 23-54. Because Pugliese does not teach the same conveyor arrangement, he also does not teach or make obvious the same sensor arrangement.

The configuration of claim 23 is also not taught or suggested. Claim 22 further defines the drop point conveyors as having two stages—an “initial conveyor” and a “staging conveyor.” Bags are placed on the initial conveyor, fed to the staging conveyor, and then fed to the central conveyor (as explained in the “wherein” clause of claim 23). The office action points to conveyor 25 in Pugliese as the “initial conveyor,” and the conveyor 17 as a “central conveyor,”

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but if that is so then they are not arranged to convey bags in the same flow as defined in claim 23. The office action also suggests that Pugliese teaches an initial conveyor having an upper surface that is relatively lower than the upper surface of the staging conveyor, as provided in claim 23, but the applicant has not been able to find this teaching in Pugliese. Accordingly, claim 23 is believed to be in condition for allowance.

Claim 24, as amended, further adds limitations regarding the inclusion of sensors on the staging conveyor, and a controller that deposits bags onto the central conveyor only when bags are not detected to be “in an interfering position” on the central conveyor. This aspect, of using sensors on the conveyors in order to prevent a collision of the bags, is taught in the application at page 20 (e.g., line 10), but not taught or suggested by the prior art of record. As such, dependent claim 24 and claims 25-26 should be allowable.

#### CONCLUSION

The applicant respectfully submits that the claims are now in condition for allowance, and requests reconsideration and allowance of all pending claims.

Respectfully submitted,

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#### MAIL CERTIFICATE

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